

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VICKIE ARROYO; and GABRIEL  
ARROYO,

Plaintiffs,

v.

ARAMARK CORPORATION; and DOES 1  
THROUGH 100,

Defendants.

No. C 12-455 CW

ORDER GRANTING  
UNOPPOSED MOTION  
FOR LEAVE TO FILE  
FIRST AMENDED  
COMPLAINT AND TO  
REMAND TO STATE  
COURT (DOCKET No.  
25)

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Plaintiffs Vickie and Gabriel Arroyo move for leave to file a first amended complaint to add as a Defendant Tri-City Assembly of God of San Jose and to remand this action to state court. Defendant Aramark Corporation has not opposed the motion.

Having considered the papers filed by Plaintiffs, the Court finds good cause to modify the scheduling order and GRANTS Plaintiffs' motion for leave to file a first amended complaint. Because this action was removed solely on the basis of diversity jurisdiction and the joinder of Tri-City Assembly of God of San Jose destroys complete diversity, the Court also GRANTS Plaintiffs' motion to remand to state court pursuant to 28 U.S.C. § 1447(e).

The Clerk shall remand this action to Santa Clara County Superior Court and close the file.

IT IS SO ORDERED.

Dated: 10/22/2012

  
CLAUDIA WILKEN  
United States District Judge